

## **REMARKS**

### **Status Of Application**

Claims 16-18 and 34-46 are pending in the application; the status of the claims is as follows:

Claims 16-18 and 34-36 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention.

Claims 16-18, and 34-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 4,829,568 to Clark et al. ("Clark").

### **Claim Amendments**

Claims 16 and 34 have been amended to more particularly point out and distinctly claim the invention. These changes do not introduce any new matter.

### **35 U.S.C. § 112 Rejection**

The rejection of claims 16-18 and 34-36 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention, is respectfully traversed based on the following.

Claims 16 and 34 have been amended to address the informalities cited in the Office Action. Applicants respectfully submit that claims 16-18, and 34-36 are now fully compliant with 35 U.S.C. § 112.

Accordingly, it is respectfully requested that the rejection of claims 16-18, and 34-36 under the second paragraph of 35 U.S.C. § 112 as being indefinite for failing to

particularly point out and distinctly claim the subject matter which Applicant regards as the invention, be reconsidered and withdrawn.

**35 U.S.C. § 103(a) Rejection**

The rejection of claims 16-18 and 34-36 under 35 U.S.C. § 103(a), as being unpatentable over Clark, is respectfully traversed based on the following.

Clark shows a system for encoding a code into printed postage for security. An encryption key or base seed word 30 is input to both a sending station 24 and a receiving station 28 (col. 3, lines 15-25). The seed word is generated in combination with other entered data, such as the date or postage amount (col. 11, lines 13-32). The data is encoded by shifting pixels within characters (Figure 2). At the receiving station 28, the encoded information is extracted and used to verify that the printed postage has not been altered or misused (col. 10, lines 25-30).

In contrast to the cited references, claim 16 includes:

- an analyzer configured to analyze received code data to generate image data, said received code data including sufficient information to define an image represented by the image data;
- a generator configured to generate additional data based on said received code data; and
- a synthesizer configured to synthesize said additional data with said image data and to output synthesized image data representing the image with the additional data encoded within the image.

Claim 16 includes “received code data” that defines an image. In contrast, the seed words of Clark are simple data such as the address of the postage, postage amount, etc. These elements may affect the image printed in Clark, but they do not define the image. The cited prior art does not show or suggest generating the additional data based on the data that defines the image. To anticipate, the cited reference must show, expressly or inherently, every limitation of the claim. MPEP §2131. Therefore, the cited references do not anticipate claim 16 and claim 16 is patentably distinct from the cited references.

Claims 17 and 18 are dependent upon claim 16, and thus include every limitation of claim 16. Therefore, claims 17 and 18 are not anticipated by the cited references and are patentably distinct from the cited references.

Also in contrast to the cited references, claim 34 includes:

receiving code data, said received code data including sufficient information to define an image represented by image data;  
analyzing said received code data to generate said image data;  
generating additional data based on said received code data; and  
synthesizing said additional data with said image data and  
outputting synthesized image data representing the image with the additional data encoded within the image.

As noted above, the cited prior art does not show or suggest generating the additional data based on the data that defines the image. Therefore, the cited references do not anticipate claim 34 and claim 34 is patentably distinct from the cited references. Claims 35 and 36 are dependent upon claim 34, and thus include every limitation of claim 34. Therefore, claims 35 and 36 are not anticipated by the cited references and are patentably distinct from the cited references.

Accordingly, it is respectfully requested that the rejection of claims 16-18, and 34-36 under 35 U.S.C. § 103(a) as being unpatentable over Clark, be reconsidered and withdrawn.

### **CONCLUSION**

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims.


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Reply to Office Action of March 16, 2006

Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin LLP Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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